

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE STUBHUB REFUND LITIGATION

Case No. 20-md-02951-HSG (TSH)

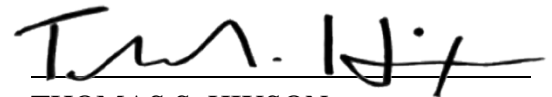
**DISCOVERY ORDER**

Re: Dkt. No. 121

The Court orders that StubHub may depose all 56 Plaintiffs<sup>1</sup> for two hours each by videoconference. It's true that in the discovery plan at ECF No. 72 the parties stated that each side would take 15 depositions of fact witnesses, but that very document makes clear they disagreed about which of Plaintiffs' claims were in the case (as opposed to arbitration), and both sides were wrong. *See* ECF No. 90. In light of that, the Court finds good cause to revisit the prior agreement. Deposing all of the Plaintiffs for two hours each is proportional to the needs of this multidistrict proceeding, and limiting each deposition to two hours minimizes the burden on each Plaintiff. There is no need for in person depositions, with the wasteful amount of travel and expense that would entail.

**IT IS SO ORDERED.**

Dated: November 28, 2022



THOMAS S. HIXSON  
United States Magistrate Judge

<sup>1</sup> At the hearing Plaintiffs counsel stated that some of the named Plaintiffs may decide to withdraw. The Court explained that if there is a stipulation and order withdrawing someone as a named Plaintiff, that person will not be subject to deposition under this order. This clarification is not intended as a ruling on the propriety of deposing unnamed class members, which issue has not been briefed. Rather, the issue that was briefed – and that the Court is ruling on – is StubHub's ability to depose the named Plaintiffs, and so the Court is clarifying that this ruling has no application to someone who ceases to be a named Plaintiff.